

back of the time, the Senate votes on the bill with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, once again, I object to the Senator's request for reasons I have previously stated. But in addition, on Tuesday night, Secretary of Defense Austin released a statement stating that he had received the Independent Review Commission's recommendations and that the administration will work with Congress to remove the prosecution of sexual assault and related crimes from the military chain of command, a recommendation I agree with. I made that clear for weeks now.

And this statement makes it clear that the argument before us is not about removing sexual assault or crimes connected to sexual misconduct from the chain of command. The argument is about removing felonies like barracks larceny, destruction of government property of a significant value, and crimes that have been handled by the military chain of command effectively for years and years and years.

In addition, Secretary Austin notably praised the comprehensive nature of the IRC's assessment across all four lines of effort, not just military justice reforms, but, as importantly, prevention, climate and culture, and victim care.

The necessity to approach this issue in a holistic and comprehensive manner is vitally important if we want to actually reduce the incidence of sexual assault in the ranks. We would be naive to believe we can simply prosecute ourselves out of this problem. That isn't how this will work.

Accountability is important, but it must be part of a larger reform, and I hope we can all agree that it is far preferable to prevent a sexual assault than simply to prosecute one.

Finally, I want to highlight Secretary Austin's statement that the Department will need new resources and authorities to implement these recommendations. It must work with Congress to secure additional authorities and relief where needed, as well as additional personnel, funding, and sufficient time to implement them.

And so, as I have said a number of times already, I intend to include the administration's recommendations that derive from the President's Independent Review Commission in the markup of the defense bill, subject to amendment.

Colleagues who have dedicated themselves for many years to issues of national defense and are knowledgeable of the UCMJ will have an opportunity to make amendments, to make suggestions, to debate this bill in detail, and then the result will be reported to the floor of the Senate, and all Senators will have such an opportunity. That is

what we have done traditionally, particularly when it comes to significant changes in the Uniform Code of Military Justice.

And with that, I would reiterate my objection to the Senator from New York's request.

The PRESIDING OFFICER. Objection is heard.

Mrs. GILLIBRAND. Mr. President, I also commend General Austin on his recommendations. He is the first Secretary of Defense in the last 10 years—in the last real 100 years—that has said that sexual assault and related crimes should be taken out of the chain of command, of which I agree completely. He has also acknowledged that it is not necessary for good order and discipline or command control that the convening authority be the commander. The convening authority can be the prosecutor, which is our bill.

The reason why we advocate for a bright line is that while sexual assaults are handled poorly within the military, so are other crimes when it comes to racial disparity. We have evidence that has been detailed and reported by the Department of Defense that if you are a Black servicemember, you are up to 2.61 times more likely to be prosecuted or punished for crimes due to racial bias within the military justice system.

So if we want a military justice system that is fair for everyone, both plaintiffs and defendants, we need a bright line around all serious crimes. I believe that if you allow trained military prosecutors the ability to review the case files for all serious crimes, more cases of sexual assaults will go forward and end in conviction, and then the bias that is seen in other cases will also be reduced.

So for the chairman to say that there is no evidence that the command hasn't been doing a good job in other crimes, I would say that is not true. There is a great deal of evidence that there is racial bias in how our military justice system is used at the detriment to Black and Brown servicemembers.

Second, I would like to say that the commission's recommendations are expansive and excellent, and we look forward to receiving those recommendations. Those recommendations may well require additional personnel and additional resources because they are across many lines, not just about prosecution.

My bill, the Military Justice Improvement and Prevention Act, does not require more resources or more personnel because it is literally creating a bright line of felonies, and while those prosecutors are normally prosecuting those cases, the only change is they get to see the case file first. They get to make a judgment about whether there is enough evidence, and if there is not, it goes right back to the commander where it was.

So I agree that General Austin's statements are important and meaningful. I agree that the commission's

work is excellent, and I look forward to supporting them and turning them into law. But I disagree strongly that the broader reform of a bright line around felonies isn't needed because it is, and it shows in the prosecution of sexual assaults, and it shows in the racial disparity of convictions and prosecutions and nonjudicial punishment for Black servicemembers.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

PUBLIC SAFETY

Mr. McCONNELL. Mr. President, yesterday, President Biden announced that his administration would attempt to combat the alarming rise of violent crime unfolding in cities across our country by making it harder for law-abiding Americans to exercise their constitutional right to keep and bear arms. And today our colleagues on the Judiciary Committee voted on the nomination of a person the President intends to lead the effort. David Chipman was tapped to be Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives.

If he is confirmed, this nominee would bring to the job a dangerous and unprecedented hostility to the Second Amendment. We know it from his record as an anti-gun extremist, and we know it from the reputation he earned among ATF veterans as an "activist" and "a rabid partisan."

It should go without saying that these are exactly the wrong motivations to encourage at the helm of the Agency charged with firearms enforcement. Then again, it should also go without saying that responsible gun owners don't cause surges in violent crime; they actually prevent them.

Unfortunately, Democrats' latest bout of cognitive dissonance on crime didn't begin just this week. Let's consider what has unfolded over the past year. Last summer, across America, peaceful protests were overtaken by lawless rioters. For nights on end, violence and looting left cities in flames, and in too many State capitals and city halls, local officials froze under pressure from the left and failed to protect their citizens, their homes, and their businesses.

In fact, at every level of government, elected Democrats instead rapidly embraced radical calls to "defund the police." To the tune of hundreds of millions of dollars, they succeeded in gutting local law enforcement budgets and

validating the worst instincts of the anti-police agitators.

The president of the Minneapolis City Council called on her colleagues to “imagine a future without police.” And sure enough, in Los Angeles, police were told to make do after a cut of \$150 million. In Seattle, the police department budget shrank by nearly 20 percent. Defunding efforts here in Washington were passed by committee unanimously.

The Biden administration has amplified these efforts by appointing avowed supporters of defunding the police, like Vanita Gupta and Kristen Clarke, to high-ranking positions at the Justice Department, the Agency charged with enforcing Federal criminal law.

Now, we didn't have to imagine the consequences of betraying the brave officers charged with keeping the peace. Millions of Americans have been living this dangerous new reality literally for months. Last year closed with the Nation's sharpest 1-year increase in homicides in decades. In New York City, the murder rate jumped nearly 45 percent, and in my hometown of Louisville, it is already on pace this year to exceed last year's all-time record.

New fears arose in communities across the country, and as Democrats flirted with their imagined future without police, Americans did exactly what you would expect of a free people: They looked to their own defense and exercised their Second Amendment rights in record numbers. The FBI processed nearly 40 million background checks on gun purchasers last year, shattering previous records. And, nationwide, 40 percent of the guns sold last year were purchased by—listen to this—first-time buyers. In particular, members of racial minority groups joined the ranks of gun owners in record numbers.

So let's review. In city after city, powerful Democrats vocally refused to uphold their responsibilities to protect public safety. Violent crime filled the void. Against this backdrop, the American people chose to defend themselves by exercising a core constitutional right.

But now, as Democrats at the State and local level play politics with public safety, Democrats here in Washington want to make gun ownership in America more burdensome than ever. Prominent voices on the left, including some of our colleagues, fanned the flames of a dangerously misguided experiment, and law-abiding Americans are paying the price.

Here in the Senate, Republicans have been focused all along on making American communities actually safer. It is why we supported TIM SCOTT's efforts to pass police reform that empowered law enforcement to do their jobs very well rather than federalizing and defunding the police.

It is the reason that Chairman LINDSEY GRAHAM and 46 other Republican Senators joined me today to demand publicly that the Department of Justice cease its efforts to restrict the

use of common pistol-brace devices by lawful gun owners. We are talking about a plan that would turn millions of law-abiding Americans into criminals with a stroke of the pen. It would be an outrageous violation, and we expect DOJ to withdraw this attempted confiscation. Federal law enforcement should focus on the criminals committing violent crimes in American cities, not on law-abiding gun owners.

So Republicans will continue to stand for Americans' Second Amendment rights, as a matter of public safety and of basic freedoms.

DEMOCRATIC AGENDA

Mr. MCCONNELL. Mr. President, on another matter, as the Senate headed into the June work period, the Democratic leader laid out an agenda that was transparently designed to fail, a string of far-left proposals that were not intended to become law or to make a difference in the lives of the American people. They were designed to fail and provide political theater for liberal activists.

And sure enough, the Senate did reject Democrats' brazen attempt to rewrite the rules of American elections, permanently, to their own advantage. We did reject their bid to exploit the cause of paycheck fairness to fill the pockets of the trial bar. And other radical proposals, like the one to impose crushing legal penalties on organizations that failed to conform to leftwing social preferences, didn't make it to the floor.

But, let's remember, this was never just about policy. If our colleagues actually believed that the substance of their plans were viable, they would have submitted more to scrutiny in committee. We know how things work in this body when a narrow majority actually wants to make a law. That is not what we have actually seen.

So Senate Democrats weren't out to pass any legislation this month. Their designed-to-fail agenda was supposed to indicate that the institution of the Senate itself was somehow broken. And on this count, our friends across the aisle failed spectacularly.

See, the Framers designed the upper Chamber, our Chamber, to be a proving ground, a place where good ideas would rise to meet high standards and bad ones would actually fall flat. So this month our Senate colleagues proved that the Senate is working quite well.

We turned away an underhanded attempt to open American employers to a new form of unlimited predatory liability and a hostile takeover of our election system. And the whole time, productive work continued on bipartisan proposals that are actually—actually—intended to become law. From infrastructure to agriculture, many of our colleagues have been hard at work demonstrating the right way to go about legislating. In the Commerce and EPW Committees, they approved smart legislation with wide bipartisan votes.

This morning on the floor, we considered another bill from Senator BRAUN that more than half of our colleagues actually cosponsored.

So as we head back to our home States and take time to celebrate our Nation's founding, let's double down on efforts like these and leave designed-to-fail partisan antics in June.

INFRASTRUCTURE

Mr. MCCONNELL. Mr. President, now on one final matter, earlier today, a bipartisan group of infrastructure negotiators took the results of their efforts down to President Biden. It was an encouraging sign of progress after leading Democrats had gone out of their way to slow the process.

Remember, at the first sign of an agreement last night and then again this morning, both the Democratic leader and the Speaker of the House made it clear they would hold a bipartisan agreement hostage, demanding trillions of dollars in wasteful spending and job-killing tax increases in return for even considering it. The top two Democrats literally pulled the rug out from under their bipartisan negotiators with these unserious demands before they had even made it down to the White House.

So President Biden's show of support earlier today appeared to be a major breakthrough for earning Democrats' support, but, alas, that optimism was short-lived. Less than 2 hours after publicly commending our colleagues and actually endorsing the bipartisan agreement, the President took the extraordinary step of threatening to veto it. It was a tale of two press conferences—endorse the agreement in one breath and threaten to veto it in the next. Less than 2 hours. It almost makes your head spin. Less than 2 hours. As I said, it almost makes your head spin—an expression of bipartisanship and then an ultimatum on behalf of your leftwing base.

I have no doubt the President is under enormous pressure from some on the left to deliver on a laundry list of radical climate demands. The Democratic leader and the Speaker have already made clear they will do whatever it takes to keep their runaway spending train chugging along all summer, and more and more Members of their party are having to contort their positions to keep pace with the expectations of the Green New Deal fringe. But, really, caving completely in less than 2 hours? That is not the way to show you are serious about getting a bipartisan outcome.

So, look, I hope our colleagues can recover and get their good-faith efforts back on track.

The PRESIDING OFFICER. The Democratic whip is recognized.

GUN VIOLENCE

Mr. DURBIN. Mr. President, this week marked the official start of summer, and by all means, it should be a